



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

October 30, 2019

In Reply Refer to:

FOIA Request No. EPA-HQ-2020-000547

Mr. Jeffrey Dye
West Virginia Dept. of Environmental Protection
501 57th St SE
Charleston, WV 25304

jeffrey.o.dye@wv.gov

Via Email and FOIAOnline (<https://foiaonline.gov/foiaonline/action/public/home>)

Re: Freedom of Information Act Request EPA-HQ-2020-000547

Dear Mr. Dye:

This is in response to your Freedom of Information Act (FOIA) request noted above, received by the U.S. Environmental Protection Agency (EPA or Agency) on October 23, 2019, which was routed to the Office of General Counsel's External Civil Rights Compliance Office (ECRCO) for processing. Your request was for the following:

“...a copy of the administrative complaint, No. 03R-19-R3, filed against West Virginia Department of Environmental Protection, which is being investigated by the ECRCO. In addition, I hereby request any companion documents and any other documents that are related to the aforesaid complaint”¹

With this letter, ECRCO is releasing responsive materials via FOIAOnline (<https://foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=EPA-HQ-2020-000547&type=request>). There was no cost to process your request. Some of the content included has been partially withheld pursuant to FOIA Exemption 6 (personal privacy information generally), at 5 U.S.C. § 552(b)(6); as well as FOIA Exemption 7(c) (privacy information obtained in connection with law enforcement proceedings), at 5 U.S.C. § 552(b)(7)(c). The reasons for the withholdings are printed over the redactions.

¹ FOIA EPA-HQ-2020-000547, Submission Details.

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This letter and release conclude our response to this request. You may appeal this response by email at hq.foia@epa.gov, or by mail to the National Freedom of Information Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals *received* after the 90-calendar-day limit. Appeals received after 5:00 pm EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." Additionally, you may seek dispute resolution services from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; email, ogis@nara.gov; telephone, (202) 741-5770 or (877) 684-6448; or fax, (202) 741-5769.

If you have questions regarding the use of FOIAOnline, please contact the EPA FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667. If you have overall questions or concerns about this request, please contact Jonathan Stein of my staff at (202) 564-2088, or via email at Stein.Jonathan@epa.gov. Again, thank you for your continued patience and courtesy as we work to close out your information request.

Sincerely,



Lilian S. Dorka
Director
External Civil Rights Compliance Office
Office of General Counsel